PATENT Case No. ITR0046YP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Crescenzi, et al.

Serial No.

10/540.449

Filed:

June 22, 2005

For: HIV INTEGRASE INHIBITORS

Art Unit:	<u>1615</u>	

Examiner:

Not Yet Assigned

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT **UNDER 37 CFR 1.97**

Sir:

- 1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).
- 2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.
- 3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.
- Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.

INFORMATION DISCLOSURE STATEMENT

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

	RELATED APPLICAT						
	U. S. SERIAL NUMBER	FILING DATE	MERCK CASE				
- 1- 1- 1- 1- 1- 1- 1- 1- 1- 1- 1- 1- 1-							
If this is inconveni	ent, additional copies will be submitted upon	request.					
6. In accordar	nce with 37 C.F.R. 1.97, (check one)						
the attached in	nformation is filed within three months of the f	filing date of the captioned case.					
the attached in Office Action	nformation is filed more than three months aft on the merits.	ter the filing date but prior to the r	nailing of a first				
the attached in examination u	nformation is filed before the mailing of a first nder §1.114.	Office action after the filing of a r	equest for continued				
Office Action of otherwise close	nformation is being filed more than three mon on the merits, but before the mailing date of a ses prosecution in the application. The enclos 3-2755 for the fee required under 37 C.F.R. 1	Final Action, Notice of Allowance sed authorization is therefore give	e, or an action that				
each item of in from a foreign Statement.	nformation contained in this Information Disclopatent office in a counterpart foreign applicat	osure Statement was first cited in tion not more than three months p	any communication prior to the filing of this				
a foreign pate	nformation contained in the information disclont office in a counterpart application and this a §1.56(c) more than thirty days prior to the filir	communication was not received	by any individual				
foreign patent after making r	no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement.						
		Respectfully submitted,					
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By: Kenneth R. Walton

Attorney For Applicant(s)

Reg. No. 32,951

MERCK & CO., INC.

Patent Dept., RY60-30

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Rahway, N.J. 07065-0907

(732)594-3462

Date: April 20, 2006

	Substitute for form 1449A/PTO			-	COMPLETE IF KNOWN			
	INFORMATION DISCLOSURE				Application Number	10/540,449		
STATEMENT BY APPLICANT					Filing Date	June 22, 2005		
/	STATEMENT BY APPLICANT				First Named Inventor	Benedetta Crescenzi		
Al	R 2 4 2006			,	Group Art Unit	1615		
TEE S	(use as many sheets		as ne	cessary)	Examiner Name	Not Yet Assigned		
111	Sheet	1	of	3	Attorney Docket Number	ITR0046YP		

			U.S. PA	TENT DOCUMENTS	
Examiner Initials*	Cite No.	U.S. Patent Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
	1	6,380,249	Bl	Young, et al.	04/30/2002
-	2	6,306,891	B1	Selnick, et al.	10/23/2001
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	21	wo	03/062204	A1	Merck & Co., Inc.	07/31/2003
	22	wo	01/94351	Al	Vertex Pharmaceuticals, Inc.	12/13/2001

Examiner Signature	Date Considered	,
	 	

^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Su	bstitute for form 1449A/PTO	-		. COMPLETE IF KNOWN			
I	NFORMATION	DIS	CLOSURE	Application Number	10/540,449		
C.	TO A TOTAL METATOR TO NA	7 A TO	DI ICANT	Filing Date	June 22, 2005		
3	TATEMENT BY	AP	PLICANI	First Named Inventor	Benedetta Crescenzi		
				Group Art Unit	1615		
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Sheet	2	of	3	Attorney Docket Number	ITR0046YP		

U.S. PATENT DOCUMENTS							
Examiner Initials*	Cite No.	U.S. Patent Document	Kind Code if known)		Date of Publication of Cited Document MM-DD-YYYY		
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Examiner	Foreign Patent Document					Name of Detector of April 1	Date of Publication of	
Initials*	Cite No.	Office	:	Number	Kind Code (if known)		Name of Patentee or Applicant of Cited Document	Cited Document MM-DD-YYYY
	23	wo	02/06246			Al	Istituto Di Ricerche Di Biologia Molecolare P. Angeletti S.P.A	01/24/2002
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Examiner Signature Date Considered

^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

estitute for form 1449B/PTO			COMPLETE IF KNOWN				
INFORMATION DISCLOSURE			Application Number	10/540,449			
TATEMENT BY	7 A D	DI ICANT	Filing Date	June 22, 2005			
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3	of	3	Attorney Docket Number	ITR0046YP			
	TATEMENT BY	NFORMATION DIS FATEMENT BY AP (use as many sheets as n	TATEMENT BY APPLICANT (use as many sheets as necessary)	Application Number Filing Date First Named Inventor (use as many sheets as necessary) Fraction Number Filing Date First Named Inventor Group Art Unit Examiner Name			

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	26	Power, M.D., et al., "Nucleotide Sequence of SRV-1, a Type D Simian Acquired Immune Deficiency Syndrome Retrovirus", Science, Vol. 231, pp. 1567-1572, (1986)							
	27	Pearl, L.H., et al., "A Structural Model for the Retroviral Proteases", Nature, Vol. 329, pp. 351-354, (1987)							

Examiner	Date	
Signature	Considered	